FILED
SEP 17 2008
OFFICE OF THE CLERK
SUPREME COURT, U.S.

(4)

Case Number 08-78

IN THE
SUPREME COURT OF THE UNITED STATES

KEITH ALLISON, PRO SE, JACKLIN ALLISON,
PRO SE, ET AL – PETITIONERS

VS

WASHINGTON DENTURIST ASSOCIATION,
ET AL.
RESPONDENTS

APPENDIX W

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PRO SE, ET AL.
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COMES NOW THE PETITIONERS with Appendix W, which is a true copy of portions of the Newsletter of the Washington Denturist Association, dated January 1992.

Petitioners/plaintiffs have known from the outset that the members of the Washington Denturist Association knew full well of the legislative purpose and intent of the Revised Code of Washington (RCW) 18.120. In the above cited newsletter, it is stated that:

"In 1983, the Washington legislature passed RCW 18.120, a ruling called the Washington Regulation of Health Professions Act" (known as the Sunrise Law for new health professions). All individuals should be permitted to enter into a health profession unless there is an overwhelming need for the state to protect the interest of the public by restricting entry into the profession. According to the legislature, a health profession should be regulated by the state only when:

The unregulated practice can clearly harm or endanger the health, safety or welfare of the public and the potential for the harm is easily recognizable and not remote or dependent upon tenuous argument.

The legislature does not create new professions, they only regulate when it is determined that the profession is a harm in the state of Washington.

To open a denturist practice in Washington, registration must be made with the State. RCW 18.120 describes registration as the formal notification which, prior to rendering services, a practitioner shall submit to a State Agency setting forth the name and address of the practitioner; the location, nature and operation of the health activity to be practiced.

In addition to the passage of 18.120, denturists were scrutinized by the State Health Coordinating Council from 1985 to 1987. The council

states: **We found no evidence that anyone has ever been harmed by a denturist.** After considerable study, this committee voted unanimously to approve the denturist bill. The committee itself joined in efforts to tailor the bill to its present form.

Considering these actions by the State, the Washington Denturists should be freed from harassment if it is the case that they cause no harm (ruling 18.120). If there is a risk of harm, the State is compelled to regulate (passage of the Denturist bill already approved by the State Health Coordinating Council).

Gary Fox, Vice President – Treasurer

In another item in the same newsletter, it is shown how the officers and/or members of the denturist association knew full well the legal definition of anti-trust activity and violations of constitutionally protected rights. Here, the newsletter states:

STATE OFFICIALS MAY BE SUED: PROTECTION FOR DENTURISTS RIGHT TO PRACTICE

The high court says state officials may be sued. The Dental Board and others are subject to being sued if they conspire against the rights of Denturists in the practice of their profession. They can be fined as much as $10,000 and ten years in prison and, if death is the result, life imprisonment.

In October of 91, the high court, in an 8-0 decision, assures that injured citizens may seek injury compensation from State Officials if a conspiracy is proven. This is the case even though citizens are legally barred from suing governments that employ them.

The Supreme Court said a conspiracy against the rights of citizens is: if two or more persons conspire to injure, oppress, threaten or intimidate any citizen in the free exercise or enjoyment of any

rights or privilege secured to him by the Constitution or law of the United States or because of his having exercised the same.

This ruling could very well open another avenue for health care reform and will be interesting to follow in the future to see what impact this has for the profession of denturitry.

Gary Fox, Vice President – Treasurer